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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FINJAN LLC,

Plaintiff,

v.

PALO ALTO NETWORKS, INC.,

Defendant.

Case No. 4:14-CV-04908-JD

**DECLARATION OF DIEK O. VAN
NORT IN SUPPORT OF
DEFENDANT PALO ALTO
NETWORKS, INC.'S MOTION TO
CONFIRM FINJAN LLC HAS NO
OPERATIVE INFRINGEMENT
CONTENTIONS FOR THE '633,
'408, AND '731 PATENTS AND
STRIKE FINJAN'S AMENDED
INFRINGEMENT CONTENTIONS
FOR THE '154 PATENT**

Date: October 21, 2021
Time: 10:00 a.m.
Courtroom: 11, 19th Floor
Judge: Honorable James Donato

1 I, DIEK O. VAN NORT, hereby declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration and, if called as
3 a witness, could and would testify competently thereto. I am submitting this declaration in
4 support of Defendant Palo Alto Networks, Inc.'s ("PAN") Motion to confirm Finjan LLC
5 ("Finjan") has no operative infringement contentions for the '633, '408, and '731 patents and
6 strike Finjan's amended infringement contentions for the '154 patent.

7 2. I am a Partner at the law firm of Morrison & Foerster LLP. I am counsel for PAN
8 in this litigation.

9 3. Attached hereto as **Exhibit 1** is a true and correct copy of a letter from Matthew
10 Chivvis, counsel for PAN, to Hannah Lee, former counsel for Finjan, dated July 23, 2015.

11 4. Attached hereto as **Exhibit 2** is a true and correct copy of a letter from Rose Lee,
12 counsel for PAN, to Jared Smith, counsel for Finjan, dated April 15, 2021.

13 5. Since the Court lifted the stay on January 25, 2021, PAN has produced all
14 requested versions of its source code and all core technical documents.

15 6. Attached hereto as **Exhibit 3** is a true and correct copy of correspondence between
16 Jared Smith, counsel for Finjan, and me, from July 14, 2021 to July 19, 2021.

17 7. Attached hereto as **Exhibit 4** is a true and correct copy of correspondence between
18 Jared Smith and Aamir Kazi, counsel for Finjan, and me, from August 27, 2021 to September 16,
19 2021.

20 8. Attached hereto as **Exhibit 5** is a true and correct copy of the Order Regarding
21 7/7/2015 Joint Discovery Letter from *Monolithic Power Sys., Inc. v. Silergy Corp.*, No. 14-cv-
22 01745-VC, Dkt. No. 173 (N.D. Cal. Aug. 26, 2015).

23 9. Attached hereto as **Exhibit 6** is an excerpt of a true and correct copy of Amended
24 Appendix E-1 to Infringement Contentions for U.S. Patent No. 8,141,154 and NGFW, WildFire,
25 Threat Prevention, and URL Filtering Products, which was served on August 19, 2021.

26 10. Attached hereto as **Exhibit 7** is an excerpt of a true and correct copy of Proposed
27 Amended Appendix D-1 to Infringement Contentions for U.S. Patent No. 7,647,633 and NGFW,
28

1 WildFire, and Traps Products, which was redlined against Finjan's April 1, 2021 initial
2 infringement contentions and served on July 16, 2021.

3 11. Attached hereto as **Exhibit 8** is an excerpt of a true and correct copy of Proposed
4 Amended Appendix F-1 to Infringement Contentions U.S. Patent No. 8,225,408 and NGFW,
5 WildFire, and Traps Products, which was redlined against Finjan's April 1, 2021 initial
6 infringement contentions and served on July 16, 2021.

7 12. Attached hereto as **Exhibit 9** is an excerpt of a true and correct copy of Proposed
8 Amended Appendix B-1 to Infringement Contentions for U.S. Patent No. 7,418,731 and NGFW,
9 WildFire, and Traps Products, which was redlined against Finjan's April 1, 2021 initial
10 infringement contentions and served on July 16, 2021.

11 13. Attached hereto as **Exhibit 10** is a true and correct copy of the Civil Minute Order
12 from *Finjan, Inc. v. FireEye, Inc.*, No. C 4:13-03133 SBA (JCS), Dkt. No. 134 (N.D. Cal. Oct.
13 16, 2017).

14 14. Attached hereto as **Exhibit 11** is a true and correct copy of letter from me to Roger
15 Denning, counsel from Finjan, dated May 12, 2021.

16 I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th
17 day of September 2021, in San Clemente, CA.

18
19 /s/ Diek O. Van Nort
Diek O. Van Nort